

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7287 of 2005

Between:

M/s. Swarna Palace Hotel, Rep by its Managing Director, M. Srinivasa Babu,
S/o. Venkateswara Rao, aged about 40 years Eluru Road, Governorpet, Vijayawada
- 2.

... PETITIONER

AND

The Commissioner, Vijayawada Municipal Corporation,
Nehru Buildings, Vijayawada.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus the declaring the action of the respondent corporation innot disposing the petitioner's representations/objections dated 28-3-2003 and 04-1-2005 as illegal, arbitrary and violative of Articles 14, 21 of the Constitution of India and consequently direct the respondent corporation to consider the petitioner's representation/objections dt. 28-3-2003 and 04-1-2005.

Counsel for the Petitioner: MR,KUNCHEAMMAHESWARA RAO

Counsel for the Respondent: MR.T.S.VENKATARAMANA

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondent in not considering the representation of the petitioner dated 04-01-2005 as arbitrary and illegal.

The petitioner is holding a trade licence granted by the respondent Corporation. It is alleged that the licence fee payable for the year 2002-2003 was abnormally enhanced and therefore the petitioner submitted his objections vide representations dated

28-03-2003, 28-02-2004, 21-06-2004 and 04-01-2005. However, the respondent failed to consider the same and he was compelled to pay the enhanced licence fees. Hence, this writ petition.

Having heard the learned counsel for the petitioner, the learned standing counsel appearing for the respondent Corporation and having perused the material on record, the writ petition is disposed of with a direction to the respondent to consider the objections raised by the petitioner in the representations dated 28-03-2003 and 04-01-2005, and pass appropriate orders in accordance with law, as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

G. ROHINI, J

Dated: 04-04-2005

Note: Furnish C.C. in two days

B/o.

LSK

ASSISTANT REGISTRAR

To

1. The Commissioner, Vijayawada Municipal Corporation,
Nehru Buildings, Vijayawada.
2. Two C.D. copies.

